

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MOHAMMED DONZO,	:	
	:	
Plaintiff,	:	
	:	21 Civ. 629 (LGS)
-against-	:	
	:	
CITY OF NEW YORK et al.,	:	<b><u>ORDER</u></b>
	:	
Defendants.	:	
-----X		

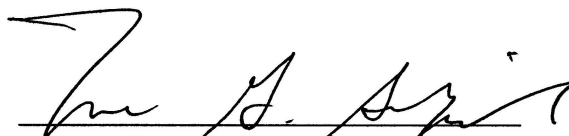
LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendants have filed a letter regarding a proposed motion to dismiss the Complaint (Dkt. No. 19). Plaintiff states that he will withdraw several of his claims and requests leave to file a First Amended Complaint (“FAC”) (Dkt. No. 27).

WHEREAS, Federal Rule of Civil Procedure 15 provides that “[t]he court should freely give leave [to amend a pleading] when justice so requires.” Fed. R. Civ. P. 15(a)(2). “This permissive standard is consistent with [the court’s] strong preference for resolving disputes on the merits.” *Williams v. Citigroup Inc.*, 659 F.3d 208, 212–13 (2d Cir. 2011) (internal quotation marks omitted); *accord Travelex Currency Servs., Inc. v. Puente Enterprises, Inc.*, 449 F. Supp. 3d 385, 394 (S.D.N.Y. 2020). “[I]t is within the sound discretion of the district court to grant or deny leave to amend.” *Broidy Capital Mgmt. LLC v. Benomar*, 944 F.3d 436, 447 (2d Cir. 2019) (internal quotation marks omitted). Discovery in this matter has just commenced, no dispositive motions are pending and withdrawal of claims that Plaintiff acknowledges are improper would not prejudice Defendants. Accordingly, it is hereby

**ORDERED** that by **May 18, 2021**, Plaintiff shall file a First Amended Complaint.

Dated: May 12, 2021  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**